

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 18, 2001 LB 659

legislation. Senator Brashear, as Chairperson of the Judiciary Committee, is going to present the committee amendments which will replace the bill.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: They do not rewrite the bill in terms of...or by way of striking out most of what's in it. Because of the types of changes here and there, it was deemed less confusing to just bring one white copy of a committee amendment that will contain all of the changes and you will see what we're looking at. I have some amendments to the committee amendments which I will explain. So if you have any questions of Senator Brashear, who has done yeoman work on this bill also, or of me, we both are prepared to answer those questions. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. There are committee amendments. Senator Brashear, as Chairman of the Judiciary Committee, you are recognized to open on committee amendments to LB 659.

SENATOR BRASHEAR: Mr. President, thank you. Members of the body, I would point out initially with regard to the committee amendments or before discussing the committee amendments specifically that this bill was advanced to the floor by your Judiciary Committee unanimously and certainly the points that Senator Chambers makes are correct. I think we...we dare...we dare not become insensitive and I think we need to all agree, as I'm sure we would, that if any person is convicted of a crime inappropriately or wrongly, then we've had a miscarriage of justice and we need to acknowledge that. The committee amendments further the intent of LB 659. The amendments make technical changes to the bill and they are as follows. We specifically set forth the type of testing to be addressed by the DNA Testing Act, which is how the bill will be known. We set forth when, during process and procedure, counsel will be appointed for an indigent person requesting DNA testing. We specify who will pay for the DNA testing. We specify a procedure whereby an individual may take possession of DNA evidence in order that it be preserved to protect that